

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| S. R. LABBY LLP, | : |
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| Plaintiff, | : |
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| TESS STRAND LLC and TESS STRAND, | : |
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| Defendants. | : |
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JESSE M. FURMAN, United States District Judge:

The Complaint in this case was filed with the Court on November 4, 2024, *see* ECF No. 1, but the docket does not reflect that the Complaint was ever served on Defendants. According to Federal Rule of Civil Procedure 4(m), the summons and Complaint must be served on Defendants within 90 days of filing with the Court, or the Court “must dismiss the action without prejudice . . . or order that service be made within a specified time.” Accordingly, it is hereby ORDERED that Plaintiff complete service on Defendants by **February 2, 2025**, or communicate with the Court, in writing, **by that same date**, as to why Plaintiff has failed to serve the summons and Complaint within the 90 days prescribed by Rule 4(m) of the Federal Rules of Civil Procedure, or, if Plaintiff believes that the Defendants have been served, when and in what manner such service was made.

If service is not completed by the above date and the Court does not receive any communication from Plaintiff showing good cause why such service was not made within the 90 days, the Court will dismiss the case without further notice.

Additionally, the initial pretrial conference (currently scheduled for January 28, 2025, *see* ECF No. 3) is ADJOURNED to **March 11, 2025 at 9:00 a.m.**

Finally, Plaintiff is directed (1) to notify Defendant’s attorneys in this action by serving upon each of them a copy of this Order and (2) to file proof of such notice with the Court by **January 28, 2025**. If unaware of the identity of counsel for Defendant, counsel receiving this order must forthwith send a copy of this Order to that party personally.

SO ORDERED.

Dated: January 21, 2025
New York, New York



JESSE M. FURMAN
United States District Judge